

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-7120

September Term, 2023

1:22-cv-00010-APM
1:22-cv-00011-APM
1:22-cv-00034-APM

Filed On: March 8, 2024

Marcus J Moore,

Appellee

v.

Donald J. Trump,

Appellant

Consolidated with 22-7121, 22-7122

BEFORE: Henderson, Millett, and Walker, Circuit Judges

ORDER

Upon consideration of the motions for summary affirmance and the opposition thereto; and the motion to hold in abeyance and the notice of consent thereto through February 15, 2024, it is

ORDERED that these consolidated appeals be removed from abeyance. It is

FURTHER ORDERED that the motions for summary affirmance be granted.

These appeals raise the same question that this court recently decided in Blassingame v. Trump, 87 F.4th 1 (D.C. Cir. 2023). As a result, the merits of the parties' positions are so clear as to warrant summary action. See Taxpayers Watchdog, Inc. v. Stanley, 819 F.2d 294, 297 (D.C. Cir. 1987) (per curiam). Blassingame held that former President Donald J. Trump lacks presidential immunity for actions that he took "in his personal capacity as presidential candidate," as opposed to "in his official capacity as sitting President." 87 F.4th at 4. Now that the mandate in Blassingame has issued, our

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decision there has become final. See Fed. R. App. P. 41(c), 1998 advisory committee's note. And appellant has made no effort to distinguish these consolidated appeals from Blassingame. It is

FURTHER ORDERED that the motion to hold in abeyance be dismissed as moot.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam